



Virginia
Regulatory
Town Hall

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Exempt Action Final Regulation Agency Background Document

Agency name	Virginia Department of Health
Virginia Administrative Code (VAC) citation	12 VAC 5-220-110 and 200
Regulation title	Medical Care Facilities Certificate of Public Need Rules and Regulations
Action title	To amend specific sections pursuant to HB2546 (2007)
Final agency action date	July 17, 2009
Document preparation date	June 1, 2009

When a regulatory action is exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the Virginia Administrative Process Act (APA), the agency is encouraged to provide information to the public on the Regulatory Town Hall using this form.

Note: While posting this form on the Town Hall is optional, the agency must comply with requirements of the Virginia Register Act, the *Virginia Register Form, Style, and Procedure Manual*, and Executive Orders 36 (06) and 58 (99).

Summary

Please provide a brief summary of all regulatory changes, including the rationale behind such changes. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.

HB2546 (2007) amends §32.1-102.1 of the Code of Virginia related to the Certificate of Public Need program by requiring an annual increase in the threshold for capital expenditure projects to “reflect inflation using appropriate measures incorporating construction costs and medical inflation.” Therefore, 12 VAC 5-220-110 and 200 must be amended to conform to the law. Using the Consumer Price Index recently published by the U.S. Department of Labor, the capital expenditure threshold for projects requiring a COPN increased from \$15,615,000 to \$ 16,083,450.

Statement of final agency action

Please provide a statement of the final action taken by the agency including (1) the date the action was taken, (2) the name of the agency taking the action, and (3) the title of the regulation.

At its July 17, 2009 meeting, the Board of Health approved this nondiscretionary action to amend 12VAC5-220-110 and 200.

Family impact

Assess the impact of this regulatory action on the institution of the family and family stability.

There is no direct impact on the family.